IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 457 of 1998

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

L I C OF INDIA

Versus

AMRATLAL P PARMAR

Appearance:

1. Civil Revision Application No. 457 of 1998

MR HM BHAGAT for Petitioner No. 1

MR DEEPAK M SHAH for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 31/03/2004

ORAL JUDGEMENT

The petitioner herein is the original defendant of Regular Civil Suit No.246/1997, which was filed by the respondent-plaintiff in the Court of Civil Judge (S.D.),

Rajkot. In the said suit, the original plaintiff submitted an application for interim injunction, which was rejected by the trial Court, against which the respondent has preferred an appeal being Civil Misc.Appeal No.180/1997. The appellate Court allowed the said appeal, against which present revision application is preferred.

2) This revision application is filed at an interlocutory stage, however, Mr.P.S.Patel, learned advocate for the applicant submitted that the original suit itself has been withdrawn by the respondent-plaintiff on 19th August, 1999, by giving a withdrawal purshis. At the request of Mr.Patel, learned advocate for the applicant copy of the correspondence, which he has received from his client is kept on record.

3) In above view of the matter, this revision has become infructuous, as the main suit filed by the plaintiff is already withdrawn. Accordingly, this revision is disposed of, as having become infructuous. Rule is discharged. No order as to costs. Interim relief, if any, stands vacated.

(P.B.Majmudar,J.)
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